

UNITED STATES COURT OF APPEALS February 23, 2012
FOR THE TENTH CIRCUIT Elisabeth A. Shumaker
Clerk of Court

THE OSAGE NATION, acting through
the Osage Minerals Council,

Plaintiff - Appellant,

v.

WIND CAPITAL GROUP, LLC, a
Delaware limited liability company;
OSAGE WIND, LLC, a Delaware limited
liability company; WC INVESTMENT
MANAGEMENT, LLC, f/k/a Wind
Capital Investment Management, LLC,
f/k/a Wind Capital Investment Group,
LLC, a Missouri limited liability
company,

Defendants - Appellees.

No. 12-5007
(D.C. No. 4:11-CV-00643-GKF-PJC)

ORDER

In accordance with 10th Cir. R. 33.1 and upon consideration of the stipulation of
the parties to voluntarily dismiss the above-captioned appeal, this appeal is dismissed.
See Fed. R. App. P. 42(b).

Each party will bear their own costs on appeal. A copy of this order will stand as

the mandate of the court.

Entered for the Court,

A handwritten signature in black ink, reading "Elisabeth A. Shumaker", with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER, Clerk

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

February 23, 2012

Douglas E. Cressler
Chief Deputy Clerk

Mr. Merrill C. Godfrey
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, NW
Washington, DC 20036-1564

Ms. Patricia Ann Millett
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, NW
Washington, DC 20036-1564

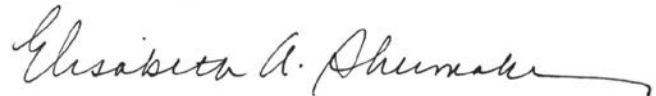
RE: 12-5007, Osage Nation v. Wind Capital Group, et al
Dist/Ag docket: 4:11-CV-00643-GKF-PJC

Dear Counsel:

Enclosed please find an order issued today by the court.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker
Clerk of the Court

cc: Craig A. Fitzgerald
Mia Vahlberg

EAS/jm